

PREA AUDIT: AUDITOR'S SUMMARY REPORT

ADULT PRISONS & JAILS

NATIONAL
PREA
RESOURCE
CENTER



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Name of Facility:	Federal Bureau of Prisons FCI-Beckley (including FPC)		
Physical address:	1600 Industrial Park Road, Beaver, West Virginia 25813		
Date report submitted:	February 20, 2015 (Final)		
Auditor Information	Cathy Slack		
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Date of facility visit:	April 8-11, 2014		
Facility Information			
Facility mailing address: <i>(if different from above)</i>	P.O. Box 1280, Beaver, West Virginia 25813		
Telephone number:	304-252-9758		
The facility is:	<input type="checkbox"/> Military	<input type="checkbox"/> County	<input checked="" type="checkbox"/> Federal
	<input type="checkbox"/> Private for profit	<input type="checkbox"/> Municipal	<input type="checkbox"/> State
	<input type="checkbox"/> Private not for profit		
Facility Type:	<input type="checkbox"/> Jail	<input checked="" type="checkbox"/> Prison	
Name of PREA Compliance Manager: Ann Elizabeth W. Card, Ph.D.	Title:	Chief Psychologist/ Institution PREA Compliance Manager	
Email address: BEC/PREAComplianceMgr@bop.gov	Telephone number:	304-252-9758 x 4330	
Agency Information			
Name of agency:	Federal Bureau of Prisons		
Governing authority or parent agency: <i>(if applicable)</i>	United States Department of Justice		
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AUDIT FINDINGS

NARRATIVE:

The Federal Correctional Institution at Beckley, West Virginia is designed to house medium security inmates, primarily from the Mid-Atlantic States. The institution is located on a 282 acre site located in Raleigh County, immediately to the northeast of the Raleigh County Memorial Airport. The Institution is designed to house 1502 medium security inmates at the main facility and 384 at the satellite camp.

The 567,068 square footage facility has been designed to satisfy the need for a humane, safe, and secure environment for both staff and inmates. The facility design is a positive visual image for a federal institution and is situated in a scenic mountainous region of Southern West Virginia. A combined staff of approximately 355 employees provides continuous, direct supervision of a wide range of inmate activities. The inmates participate in work / training opportunities, education and vocational training, rehabilitation, recreational activities, as well as community service projects.

DESCRIPTION OF FACILITY CHARACTERISTICS:

The compound is secured by double fencing, appropriate razor wire and a shaker motion detection system installed on the fence and microwave detection systems where there are entry/exit areas. Video monitoring is consistent with medium security compounds and more than adequately covers all areas of interest to prevent breaches of the perimeter. The perimeter is patrolled 24 hours a day by dual roving patrols.

Within the secure compound, you will find three, four level housing units, which are positioned in an arc at the northern boundary of the secure area. A large grassy area separates the housing units from the remainder of the buildings located on the secure institutional grounds. When entering the compound the living units are to the left, inmate service areas are in the middle of the compound along with maintenance operations and the right side of the compound is primarily inmate programming, work and recreational areas. The Special Housing Unit (SHU) occupies the far right hand corner of the compound. The rated capacity of beds in restricted confinement is 143, however there are currently 77 inmates housed in the Special Housing Unit. All cells in the Special Housing Unit are equipped for two inmates with the exception of three special management cells that only have one bunk.

The living units are two story buildings with two tiers to each floor. While the construction of the units is uniform, with two wings off a central staff area and somewhat triangular in shape, the use of the housing program space varies from

building to building. Some program rooms were used to house inmates and some were utilized for actual program or treatment classes.

The camp compound (FPC) is open (not fenced) and houses minimum security male inmates. There are two housing units that are dormitory style and house approximately 245 inmates each. The camp has the inmate service and program areas adjacent to the housing units. A more than adequate recreational area comprises the remainder of the camp area. The compound is laid out in a square like shape with housing units forming two sides and the program, medical, food service and administrative areas forming the third side of the square. The last side opens into the recreation areas.

The Federal Bureau of Prisons protects society by confining offenders in the controlled environments of prisons and community-based facilities that are safe, humane, cost-efficient, and appropriately secure, and that provide work and other self-improvement opportunities to assist offenders in becoming law-abiding citizens.

The mission of the FCI/FPC centers on the long term incarceration of offenders in a safe and secure environment while providing appropriate opportunities for work and improvement programs and services that contribute to the successful return of the offender to the community.

SUMMARY OF AUDIT FINDINGS:

During the visit, the auditor conducted 14 random inmate interviews which 12 were at FCI and 2 were at the FPC. The 5 inmate interviews based on special category of inmates, such as, transgender, disabled, disclosed victimization, gay, bisexual or one who had reported sexual abuse. Random staff and all specialized staff were interviewed.

Inmates and staff were well aware of the Zero Tolerance regarding Sexual Abuse and Sexual Harassment. Inmates interviewed were knowledgeable about how and where to report sexual abuse and sexual harassment. They all indicated they had received written and video information either in the Receiving and Discharge area on their arrival or on the housing units for those that have been at the facility for a considerable amount of time. Zero Tolerance posters were viewed throughout the facility, in Spanish and English. The inmates have also a booklet on Sexually Abusive Behavior and Prevention in both Spanish and English which provides *An Overview for Offenders*.

All staff at FCI Beckley are trained to be first responders. Each staff person was well versed on their responsibilities in reporting sexual assaults and suspected sexual abuse. When questioned about evidence preservation and medical considerations staff responses reflected agency policy and standard requirements. There were five allegations of sexual abuse and sexual harassment received at FCI Beckley. All five of the allegations resulted in an administrative investigation. None of the five allegations were referred to criminal investigation. There were three allegations of sexual abuse while confined at another facility and reported to FCI Beckley staff.

There has been one (1) staff member, in the past 12 months that had violated agency sexual abuse or sexual harassment policy. This staff member was terminated.

Number of standards exceeded: 4
Number of standards met: 38
Number of standards not met: 0
Non-applicable: 1

§115.11 - Zero tolerance of sexual abuse and sexual harassment; PREA coordinator

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard.

3420.11 (employees) 5270.09 (inmates) and 5324.11 address this standard.

§115.12 - Contracting with other entities for the confinement of inmates

XX Exceeds Standard (substantially exceeds requirement of standard)

☐ FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

Federal Bureau of Prisons (FBOP) renewed all existing contracts to include PREA requirements of policy. Contract monitoring is in the contract to be done through on site visits and PREA documentation/audits.

§115.13 – Supervision and Monitoring

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

Filling vacant positions is a high priority with FBOP and efforts are documented. In the FBOP all staff are considered law enforcement except contract and all staff receives the same training as corrections officers. Example logs of unannounced rounds were documented on

Institutional Duty Officer (IDO) form and reviewed by this auditor. Staff and inmate interviews confirmed that unannounced rounds are being conducted.

§115.14 – Youthful Inmates

- ☐ Exceeds Standard (substantially exceeds requirement of standard)
- ☐ Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- ☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

N/A no youthful offenders.

§115.15 – Limits to Cross-Gender Viewing and Searches

- ☐ Exceeds Standard (substantially exceeds requirement of standard)
- XX** Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- ☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

115.15 (d) The facility shall implement policies and procedures that enable inmates to shower, perform bodily functions, and change clothing without nonmedical staff of the opposite gender viewing their breasts, buttocks, or genitalia, except in exigent circumstances or when such viewing is incidental to routine cell checks. Such policies and procedures shall require staff of the opposite gender to announce their presence when entering an inmate housing unit.

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program revised 1/6/2014 addresses this standard. Policy Statement 5324.11, page 18, 20 and 21 meets this standard. No cross gender searched strip searches or cavity searches have been conducted in the past 12 months or exigent circumstances have occurred to conduct cross gender strip searches. All Staff at the time of the audit have been trained in cross-gender pat down searches and searches of transgender inmates. There were two transgender inmates housed at this facility during the time of the audit. All inmates and staff interviewed indicate the male population is able to dress, shower and toilet without female staff viewing them.

§115.16 – Inmates with Disabilities and Inmates who are Limited English Proficient

- ☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. FCI Beckley's Compliance Manager can also contact local disability agencies and available interpretation services for assistance as a resource to ensure the facility is providing effective communication accommodations when a need for such an accommodations is known.

§115.17 – Hiring and Promotion Decisions

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS3000.03 and PS3420.11 address this standard. The interview with human resources and general interviews with staff support all aspects of this standard.

§115.18 – Upgrades to Facilities and Technology

XX Exceeds Standard (substantially exceeds requirement of standard)

☐ FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

Additional cameras have been added throughout the facility. Additional mirrors have been located in the following areas:

- All general housing unit fire escape areas—each entry door area (24 each)
- UNICOR office area—four upstairs, one staff restroom/elevator area
- Outside landscape restroom hallway
- Generator room switchgear area
- Powerhouse CPI - upstairs

§115.21 – Evidence Protocol and Forensic Medical Examinations

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program dated 1/6/2014 addresses this standard. The Memorandum of Understanding between the FBI and FBOP on Violations of Federal Criminal Statutes also addressed this standard. 115.21 (f) BOP has requested the FBI and/or OIG follow the requirements of paragraphs 115.21 (a through e). Victim advocacy has been arranged with Women's Resource Center.

§115.22 – Policies to Ensure Referrals of Allegations for Investigations

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program dated 1/6/2014 addresses this standard. There were five allegations of sexual abuse and sexual harassment received at FCI Beckley. All five of the allegations resulted in an administrative investigation. None of the five allegations were referred to criminal investigation.

§115.31 – Employee Training

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program dated 1/6/2014 addresses this standard. Based on review of training records, volunteers and contract staff have been trained. In interviews and discussion with staff, it was evident that staff are very knowledgeable regarding PREA and the facility procedures to respond to an alleged sexual assault. 115.31 (d) agency does document through staff signature or electronic signature that they understand the training received.

§115.32– Volunteer and Contractor Training

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program dated 1/6/2014 addresses this standard. Based on interviews and review of training records, volunteers and contract staff have been trained. Volunteers do sign that they understood the training.

§115.33 – Inmate Education

XX Exceeds Standard (substantially exceeds requirement of standard)

☐ FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. Interviews with staff revealed that all inmates receive the training. Interviews with inmates indicated they receive information about zero tolerance at the time of inmate and how to report incidents of sexual abuse or harassment. There is information in the Inmate's Handbook and an overview for offenders in a Sexually Abusive Behavior Prevention and Intervention pamphlet which is both in English and Spanish.

§115.34 – Specialized Training: Investigations

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. There were 5 investigators at FCI-Beckley and all 5 have completed the required PREA investigative training. These investigators assist with external investigators (FBI & DIOG).

As far as external investigators, every prospective agent must complete the New Agent Training Program before becoming a Special Agent. The Domestic Investigations and Operations Guide (DIOG) is a significant part of this specialized training, as is relevant legal training including on *Miranda* and requirements for building a case for prosecution,

interviewing techniques and evidence collection. In addition, at their first field office post, new agents receive additional training in several of these areas as part of each field's office's New Agent Development Program. Agents assigned to investigate criminal matters receive regular refresher training on the DIOG and criminal investigative procedures, methods, and legal issues. There is a Field Evidence Management and Operations Policy Implementation guide for the FBI which demonstrates the FBI agents have training and guidelines in accordance with investigative requirements.

§115.35 – Specialized training: Medical and mental health care

- ☐ Exceeds Standard (substantially exceeds requirement of standard)
- XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- ☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. All forensic exams would be performed at an outside hospital.

§115.41 – Screening for Risk of Victimization and Abusiveness

- ☐ Exceeds Standard (substantially exceeds requirement of standard)
- XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- ☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. Screening occurs immediately upon admission. This was confirmed by documentation and interviews.

§115.42 – Use of Screening Information

- ☐ Exceeds Standard (substantially exceeds requirement of standard)
- XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)
- ☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

P5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. This information is placed in an agency computerized screening system as well as

through treatment plans with the psychology department. There were two transgender inmates housed at FCI Beckley.

§115.43 – Protective Custody

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard.

§115.51 – Inmate Reporting

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. Inmate interviews confirmed multiple ways for inmates to report privately sexual abuse or sexual harassment. PREA Posters are both in English and Spanish and are posted in the living units as well as the work areas of the facility. An inmate can tell any staff member, file an administrative remedy, utilize the electronic message (TRULINCS) to report confidentially any sexual abuse or harassment. An inmate can also report in writing to the Office of the Inspector General in Washington, DC.

§115.52 – Exhaustion of Administrative Remedies

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS1330.18 Administrative Remedy Program does address this standard. Covered in Directive P1330.18 Administrative Remedy Program. There have been zero grievances in the past 12 months filed that an alleged sexual abuse occurred at FCI Beckley.

§115.53 – Inmate Access to Outside Confidential Support Services

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program does address this standard. All inmates interviewed confirmed ability to contact an outside source. The Women's Resource Center (local rape crisis center) has an MOU with FCI Beckley. If an inmate needs to contact the WRC they can make a confidential phone call with the assistance of the Chaplain's office, psychology department or case manager.

§115.54 – Third-Party Reporting

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. The FBOP posts publicly, and maintains, the third party reporting avenue on its website. The website www.bop.gov Sexual Abuse Prevention and Reporting provides information for third party reporting. There is also a pamphlet which distributes information on third party reporting. This was confirmed in inmate interviews.

§115.61 – Staff and Agency Reporting Duties

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also addressed in Institutional Supplement BEC 5324.09 Sexually Abusive Behavior Prevention and Intervention Program and verified during interviews with staff.

§115.62 – Agency Protection Duties

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also addressed in Institutional Supplement BEC 5324.09 Sexually Abusive Behavior Prevention and Intervention Program and verified during interviews with staff. No incidents to date.

§115.63 – Reporting to Other Confinement Facilities

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Per interview with the PREA Manager, there were three (3) allegations of sexual abuse at another facility being reported to them. Each inmate has assisted in identifying the name and location of the facility when reporting the alleged abuse. Immediately thereafter, the Warden, or Acting Warden notified the head administrator of that facility telephonically. This notification is documented and maintained by the PREA Compliance Manager.

§115.64 – Staff First Responder Duties

XX Exceeds Standard (substantially exceeds requirement of standard)

☐ FCI-Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Staff interviews confirmed that staff is well trained in these requirements. Each staff member has a checklist to help guide them through the first responder duties. There

were a total of four allegations and three of those allegations related to events alleged to happen weeks to months earlier.

§115.65 – Coordinated Response

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI-Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also addressed in Institutional Supplement BEC 5324.09 Sexually Abusive Behavior Prevention and Intervention Program. The Lieutenant's First Responder checklist includes medical, mental health, investigators and administrative staff.

§115.66 – Preservation of ability to protect inmates from contact with abusers

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

Central office reported there has been no collective bargaining agreement entered into or renewed since August 2012.

§115.67 – Agency protection against retaliation

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also addressed in Institutional Supplement BEC 5324.09 Sexually Abusive Behavior Prevention and Intervention Program. The PREA Compliance Manager is responsible for tracking against any inmate retaliation.

§115.68 – Post-Allegation Protective Custody

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard.

§115.71 – Criminal and Administrative Agency Investigations

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. A letter dated April 2, 2014 from the Principal Deputy General Counsel of the U.S. Department of Justice and FBI refers to this information addressed in the FBI's Domestic Investigations and Operations Guide (DIOG) which governs the conduct of all criminal investigations in the U.S. There have not been any incidents warranting an FBI or OIG investigation in regards to sexual abuse or sexual harassment

§115.72 – Evidentiary Standard for Administrative Investigations

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. This information was also confirmed with facility investigator.

§115.73 – Reporting to Inmate

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. This information was also confirmed with facility investigator. There were three investigations of sexual abuse that were completed in the last 12 months. All three inmates were notified verbally of results of investigation.

§115.76 – Disciplinary sanctions for staff

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. There has been one (1) staff member, in the past 12 months that have violated agency sexual abuse or sexual harassment policy. This staff member was terminated.

§115.77 – Corrective action for contractors and volunteers

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. PS 3420.11 states applicable to contractors and volunteers. No contractors or volunteers have been reported to law enforcement for engaging in sexual abuse or sexual harassment.

§115.78 – Disciplinary sanctions for inmates

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addresses this standard and also in PS5324.09 Sexually Abusive Behavior prevention and Intervention Program and PS527.09 Inmate Disciplinary Program. There have been no incidents of inmate-on-inmate sexual abuse in the last 12 months.

§115.81 – Medical and mental health screenings; history of sexual abuse

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Confirmed in inmate interview.

§115.82 – Access to emergency medical and mental health services

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also covered in PS 5324.09 Sexually Abusive Behavior prevention and Intervention Program as written in standards and verified with staff interviews.

§115.83 – Ongoing medical and mental health care for sexual abuse victims and abusers

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Also covered in PS 5324.09 Sexually Abusive Behavior prevention and Intervention Program.

§115.86 – Sexual abuse incident reviews

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. There were three administrative investigations of alleged sexual abuse in the last 12 months. Two of the incidents have been completed with a sexual abuse incident review within 30 days.

§115.87 – Data Collection

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. Documentation reviewed demonstrated compliance with this standard.

§115.88 – Data Review ☐ for Corrective Action

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. The annual report is available on www.bop.gov. Confirmed in interview with facility PREA Compliance Manager.

§§115.89 – Data Storage, ☐ Publication, and Destruction ☐

☐ Exceeds Standard (substantially exceeds requirement of standard)

XX FCI Beckley Meets Standard (substantial compliance; complies in all material ways with the standard for the relevant review period)

☐ Does Not Meet Standard (requires corrective action)

Auditor Comments, including corrective actions needed if does not meet standard

PS5324.11 Sexually Abusive Behavior Prevention and Intervention Program addressed this standard. The PREA Annual Report was reviewed regarding the Survey of Sexual Violence 2012 which indicated there were two allegations, one substantiated. The report indicated FCI Beckley had not conducted an incident review and that staff needs to be trained in the policy requirements and implement a tracking system.

AUDITOR CERTIFICATION:

The auditor certifies that the contents of the report are accurate to the best of his/her knowledge and no conflict of interest exists with respect to his or her ability to conduct an audit of the agency under review.

Cathy Slack, PREA Auditor

February 20, 2015